

REMARKS

This Application has been carefully reviewed in light of the final Office Action electronically sent July 13, 2007 (the "Office Action"). At the time of the Office Action, Claims 1, 3-9, 11 and 13-19 were pending in the Application. The Office Action rejects Claims 1, 3-9, 11 and 13-19. Applicants respectfully request reconsideration and favorable action in this case.

Claim Rejections

The Office Action rejects Claims 1, 3-5, 7-9, 11, 13-15 and 17-19 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,072,580 B2 issued to Arecco et al ("*Arecco*"). The Office Action rejects Claims 6 and 16 under 35 U.S.C. § 103(a) as being unpatentable over *Arecco* in view of U.S. Patent No. 5,612,805 issued to Fevrier et al ("*Fevrier*"). Applicants respectfully traverse these rejections.

Claim 1 recites wherein the second RIC node is inactive under normal system operation and not operable to communicate optical traffic between the first and second optical ring networks when the first RIC node is able to communicate optical traffic between the first and second optical ring networks. Claim 11 recites similar elements. Applicants previously noted that the elements of *Arecco* that the Office Action contends are a second RIC node (nodes E and E' of *Arecco*) receive and drop signals between Network 1 and Network 2 of *Arecco* in a normal operative condition even when the elements of *Arecco* contended to be a first RIC node (nodes D and D') are receiving and dropping signals between Network 1 and Network 2. See, e.g., *Arecco*, col. 27, lines 3-52. *Arecco* does not disclose a second RIC node inactive under normal system operation and not operable to communicate optical traffic between the first and second optical ring networks when a first RIC node is able to communicate optical traffic between the first and second optical ring networks.

In response, the Office Action suggests that *Arecco* includes this element and states that "[s]pecifically, Figure 21 shows normal system operation, wherein nodes E and E' are not operable to communicate optical traffic between the rings (column 26, lines 37-67; column

27, lines 1-57)." Office Action, page 8. To the contrary however, *Arecco* specifically discloses that, with respect to Figure 21, "[u]nder normal operative conditions, signal S1 is inserted into the first ring network (Network 1) by node B, passes through node C and is received by node D, where it is split into a first and a second fraction (50% of power) which are sent towards nodes E and D'." *Arecco*, col. 26, lines 61-66. It is clear that nodes E and E' are communicating traffic between the rings in this normal operative condition. Moreover, *Arecco* states that:

In more detail, signal routing within the different nodes *during normal operative conditions* are the following:

...

Node E

Signal S₁ is received via the first receiving transponder RxT₁ (λ_x) and it is dropped at the second output OUT₂.

...

Node E'

Signal S₁ is received via the first input IN₁ and transmitted via the first transmitting transponder TxT₁ (λ_x).

Arecco, col. 27, lines 4-50. Thus, *Arecco* specifically discloses that under normal system operation nodes E and E' are operable to communicate optical traffic between the rings.

Thus, *Arecco* does not disclose a second RIC node inactive under normal system operation and not operable to communicate optical traffic between the first and second optical ring networks when the first RIC node is able to communicate optical traffic between the first and second optical ring networks. Therefore, Applicants respectively submit that Claims 1 and 11 are patentable over the cited art used in the rejections and request that the rejections of these claims be withdrawn.

Claims 3-9 each depends from Claim 1, and Claims 13-19 each depends from Claim 11. Thus, for at least the reasons discussed above with respect to Claims 1 and 11, Applicants respectfully request that the rejections of Claims 3-9 and 13-19 be withdrawn.

CONCLUSION

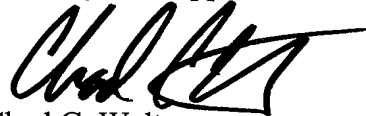
Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Chad C. Walters, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6511.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L. L. P.
Attorneys for Applicants

A handwritten signature in black ink, appearing to read 'Chad C. Walters', with a stylized flourish at the end.

Chad C. Walters
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